

Bill read third time, and passed by the following vote:

Yeas—20.

Beall.	Morriss.
Bowser.	Neal.
Colquitt.	Ross.
Darwin.	Stafford.
Goss.	Stone.
Greer.	Terrell.
Harrison.	Turney.
Kerr.	Wayland.
Linn of Victoria.	Yantis.
Linn of Wharton.	Yett.

Nays—1.

Burns.

Absent.

Atlee.	Gough.
Bailey.	Lewis.
Boren.	Presler.

Excused.

Dibrell.	Tillett.
Rogers.	Woods.

COMMITTEE REPORTS.

The following committee reports were sent up:

Committee Room,

Austin, Texas, April 7, 1897.

Hon. George T. Jester, President of the Senate.

Your Committee on State Affairs, to whom was referred

Senate joint resolution No. 11, creating a commission to investigate and report to the next session of the Legislature such measure or measures as may be deemed appropriate to correct the evils growing out of the violation of section 6, article XII, of the Constitution of the State by private corporations, and providing for the compensation of the commissioners, etc.

Have had the same under consideration, and I am intructed to report the same back to the Senate with the recommendation that it do pass.

BEALL, Chairman.

Committee Room,

Austin, Texas, April 7, 1897.

Hon. George T. Jester, President of the Senate:

Your Committee on Judicial Districts, to whom was referred

House bill No. 387, a bill to be entitled "An act to amend subdivision 32, article 22, title IV, of the Revised Statutes of the State of Texas, fixing the time for holding the district court in the Thirty-second judicial district."

Have had the same under consider-

ation, and I am instructed to report same back to the Senate with the recommendation that it do pass.

BEALL, Acting Chairman.

Committee Room,

Austin, Texas, March 7, 1897.

Hon. George T. Jester, President of the Senate:

Your Judiciary Committee No. 1, to whom was referred

House bill No. 157, a bill to be entitled "An act to amend article 2977 of chapter 4, title 55, of the Revised Statutes of the State of Texas, relating to divorce, so as to permit the wife to obtain a divorce where the husband shall have left her for one year with intention of abandonment, or for non-support, and permit either party to obtain a divorce on account of the continued drunkenness of the other, and to repeal all laws and parts of laws in conflict herewith."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

LEWIS, Chairman.

On motion of Senator Stafford, the Senate adjourned to 10 a. m. to-morrow.

SIXTY-SEVENTH DAY.

Senate Chamber,

Austin, Tex., Thursday, April 8.

Senate met pursuant to adjournment.

Lieutenant-Governor Jester in the chair.

Roll called.

Quorum present, the following Senators answering to their names:

Atlee.	Linn of Victoria.
Beall.	Linn of Wharton.
Bowser.	Morriss.
Burns.	Neal.
Colquitt.	Presler.
Darwin.	Ross.
Goss.	Stafford.
Gough.	Terrell.
Greer.	Turney.
Harrison.	Wayland.
Kerr.	Yantis.
Lewis.	Yett.

Absent.

Bailey.	Dibrell.
Boren.	Stone.

Excused.

Rogers.	Woods.
Tillett.	

Prayer by the Chaplain, Rev. F. S. Jackson.

Almighty God: Through the silent hours of the night, Thy faithful sentinels "kept watch o'er our couch," and with a strong sense of security we gave ourselves to rest, not "afraid for the terror by night, nor for the pestilence that walketh in darkness." We come to the duties of this day refreshed and strengthened, and we pray Thee to so

"Direct, control, suggest this day,
All we design, or do, or say,
That all our powers, with all their might,
In Thy sole glory may unite."

And when the short day of life is over, may its sunset be radiant with divine effulgence, and we will triumphantly sing praises to the Father, Son and Holy Spirit. Amen.

Pending the reading of the Journal of yesterday,

On motion of Senator Wayland, the same was dispensed with.

On motion of Senator Colquitt, Senator Dibrell was excused for to-day on account of sickness.

On motion of Senator Greer, Mr. O'Quinn, the Journal Clerk, was excused for to-day, on account of sickness.

PETITIONS AND MEMORIALS.

By Senator Yantis:

Petition from the citizens of Haskell county, protesting against the cutting of Haskell county out of the Thirty-ninth Judicial District as now constituted.

Read and referred to the Committee on Judicial Districts.

By Senator Colquitt:

Petition of lawyers of Corsicana, protesting against a change in the Thirteenth Judicial District, composed of Navarro, Limestone and Freestone counties.

Read and referred to the Committee on Judicial Districts.

COMMITTEE REPORTS.

Committee Room,

Austin, Texas, April 7, 1897.

Hon. George T. Jester, President of the Senate.

Your Judiciary Committee No. 1, to whom was referred

House bill No. 13, a bill to be entitled "An act to repeal article 1277 and to amend article 1278 of the Revised Statutes of the State of Texas, relating to continuances,"

Have had the same under considera-

tion, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

LEWIS, Chairman.

Committee Room,

Austin, Texas, April 7, 1897.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Judicial Districts, to whom was referred

Senate bill No. 345, a bill to be entitled "An act to further amend section 2 of an act entitled an act to reorganize the Fifteenth Judicial District and the Fortieth Judicial District, and to amend chapter 77, section 15, of the general laws of Texas, approved April 9, 1883, redistricting the State for judicial purposes, and to amend section 2 of chapter 58 of the general laws of Texas, approved March 27, 1885, creating the Fortieth District with this act, approved March 21, 1893, as amended by an act entitled an act to amend section 2 of an act to be entitled an act reorganizing the Fifteenth Judicial District, and to amend chapter 67, section 15, of the general laws of Texas, approved April 9, 1883, redistricting the State for judicial purposes, and to amend section 2, chapter 58, of the general laws of Texas, approved March 27, 1885, creating the Fortieth Judicial District, and to repeal all laws in conflict with this act, passed at the present session of the Legislature, and to further regulate and fix the times of holding courts in the Fortieth Judicial District, and to repeal all laws in conflict herewith."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

BEALL, Acting Chairman.

Committee Room,

Austin, Texas, April 8, 1897.

Hon. George T. Jester, President of the Senate.

Your Committee on Roads, Bridges and Ferries, to whom was referred,

House bill No. 654, a bill to be entitled "An act to create a more efficient road system in Gregg county, and to provide for the appointment of road overseers, and to define the powers and jurisdiction of the commissioners court with regard thereto, and to utilize the labor of county convicts and defaulting poll tax payers on the public roads of said county, and to provide for the appointment of an overseer to work such convicts and defaulting poll tax payers."

Have had the same under considera-

tion, and I am instructed to report the same back to the Senate with the recommendation that it do pass and be not printed.

WAYLAND, Chairman.

Committee Room,
Austin, Texas, April 7, 1897.

Hon. George T. Jester, President of the Senate.

Your Committee on Judicial Districts, to whom was referred

House bill No. 557, a bill to be entitled "An act to amend article 22, title 4, of the Revised Civil Statutes of the State of Texas, so as to extend the terms of the district court in Waller and Fort Bend counties."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

YANTIS, Acting Chairman.

Committee Room,
Austin, Texas, April 8, 1897.

Hon. George T. Jester, President of the Senate.

Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 338, entitled "An act to authorize the county commissioners courts of the various counties in this State to retire and fund their outstanding floating indebtedness, and to provide for the payment of same,"

And find the same correctly engrossed.

GOUGH, Chairman.

Committee Room,
Austin, Texas, April 7, 1897.

Hon. George T. Jester, President of the Senate.

Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 301, a bill entitled "An act to prevent the sale, the offering for sale, or the giving away of questions or the answers to questions prepared for the examination of applicants for teachers' certificates, to prevent persons in official or public or quasi-public positions from permitting unauthorized persons to acquire a knowledge of such questions or of the answers thereto, and to prevent all carelessness, irregularity, dishonesty or fraud in handling the questions, and prescribing penalties for the violation of this act,"

And find the same correctly engrossed.

GOUGH, Chairman.

Committee Room,

Austin, Texas, April 7, 1897.

Hon. George T. Jester, President of the Senate.

Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 341, a bill to be entitled "An act to create a more efficient road system for Milam county, Texas, and making county commissioners of said county ex officio road commissioners, and prescribing their duties as such, and providing for their compensation as road commissioners, and defining the powers and duties of such county commissioners, and providing for the appointment of road overseers, and defining their duties, and for the working of county convicts on public roads of said county, and providing for officers' fees, and rewards and penalties for said convicts, and rewards for the capture of escaped convicts, and to provide for the manner of training and maintaining hedges along all public roads, and to provide for the summoning of teams for road work, and for an allowance for time of road service for same, and fixing a penalty for a violation of this act, and to repeal all laws in conflict herewith."

And find the same correctly engrossed.

GOUGH, Chairman.

Committee Room,
Austin, Texas, April 7, 1897.

Hon. George T. Jester, President of the Senate.

Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 226, entitled "An act for the promotion of medical science by the distribution and use of unclaimed human bodies for scientific purposes through a board created for that purpose, and to prevent unauthorized uses and traffic in human bodies, and to legalize dissections by authorized persons,"

And find the same correctly engrossed.

GOUGH, Chairman.

Committee Room,
Austin, Texas, April 7, 1897.

Hon. George T. Jester, President of the Senate.

Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 302, a bill to be entitled "An act to require all corpora-

tions that are now required, or that may hereafter be required under the laws of this State, to keep on deposit with the State of Texas money, bonds or other securities, to hereafter keep on deposit with this State money, bonds of the State of Texas, or of some county or city therein, or first mortgage lien notes on real estate situated within this State, and declaring an emergency,"

And find the same correctly engrossed.

GOUGH, Chairman.

Committee Room,

Austin, Texas, April 7, 1897.

Hon. George T. Jester, President of the Senate, and Hon. L. T. Dashiell, Speaker of the House of Representatives:

We, your free conference committee who were appointed to consider

Senate bill No. 13, a bill to be entitled "An act to abolish the unorganized counties of Buchel and Foley, and to incorporate their territory into the county of Brewster; to provide for the payment of certain bonds held by the State against such unorganized counties out of funds now held to their credit, etc."

Together with the House amendment to said bill, have had the same under consideration, and we recommend that the House recede from its said amendment, and that the Senate do not concur in said House amendment, and that said Senate bill No. 13 do pass without said House amendment.

Respectfully submitted.

TURNEY.

LINN of Wharton,

GOSS,

DARWIN,

ATLEE,

On part of the Senate.

ROBBINS,

MORTON,

CROWLEY,

AYERS,

THOMPSON,

On part of the House.

Committee Room.

Austin, Texas, April 7, 1897.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 102, a bill to be entitled "An act to repeal articles 513b, 513c, 513d and 520, chapter 5, title 13, of the Penal Code of the State of Texas, and to amend articles 510, 511, 512,

513, 514, 515, 516, 517 and 518 of said chapter and title, and to further amend said chapter by adding thereto articles 517a, 518a, 518b, 518c, 518d, 518e, 518f and 518g, relating to the protection of fish, birds and game; and to repeal all laws and parts of laws in conflict herewith,"

And find the same correctly engrossed.

GOUGH, Chairman.

BILLS AND RESOLUTIONS.

By Senator Presler:

Senate bill No. 350, a bill to be entitled "An act to make an appropriation to defray the expense of publishing the Governor's proclamation submitting the constitutional amendments proposed by the present session of the Twenty-fifth Legislature to a vote of the qualified voters of Texas."

Read first time and referred to Committee on Finance.

By Senator Bowser:

Whereas, the insurance laws of Texas, authorizing the incorporation of insurance companies in this State, and the regulation of said companies, for the better protection of the people and the encouragement and promotion of home life and fire insurance companies; and

Whereas, the insurance laws of other States providing for said corporations are such that it makes it difficult for our home companies to compete with all foreign companies;

Be it resolved, that the Committee on Insurance and Statistics, together with the aid of the chairmen of the committees on Finance, Education, and State Affairs, be requested to draft such bill or bills as will meet the wants and best interests of the people of Texas.

By Senator Ross:

Amend by striking out the word "fire" in the resolution.

Senator Lewis moved that the resolution and amendment be indefinitely postponed.

Lost by the following vote:

Yeas—6.

Atlee.

Linn of Victoria.

Darwin.

Turney.

Lewis.

Yantis.

Nays—16.

Reall.

Kerr.

Bowser.

Morriss.

Colquitt.

Neal.

Goss.

Presler.

Gough.

Ross.

Harrison.

Stafford.

Stone.	Wayland.
Terrell.	Yett.
Present, not voting.	
Burns.	
Absent.	
Bailey.	Greer.
Boren.	Linn of Wharton.
Excused.	
Dibrell.	Tillett.
Rogers.	Woods.

The amendment (Ross') was then lost.

By Senator Linn of Victoria:

Amend by striking out the words "Committee on Insurance, Statistics and History," where they occur in the resolution.

Lost.

By Senator Presler:

Amend the resolution by adding the "Chairman of the Committee on Commerce and Manufactories" after the words "Chairman of the Committee on Education."

Adopted.

The resolution as amended was then adopted by the following vote:

Yeas—14.

Atlee.	Neal.
Bowser.	Presler.
Colquitt.	Ross.
Goss.	Stone.
Gough.	Terrell.
Harrison.	Wayland.
Kerr.	Yett.

Nays—7.

Beall.	Linn of Victoria.
Darwin.	Morriss.
Greer.	Stafford.
Lewis.	

Present, not voting.

Burns.

Absent.

Bailey.	Turney.
Boren.	Yantis.
Linn of Wharton.	

Excused.

Dibrell.	Tillett.
Rogers.	Woods.

I vote "no" on account of the lateness of the session. MORRISS.

By Senator Beall:

Be it resolved by the Senate, the House of Representatives concurring, that from and after the present week the resolution heretofore adopted, setting apart Wednesday and Thursday of each week for the consideration by either house of bills and resolutions coming from the other, be, and the

same is hereby, rescinded, and hereafter Friday of each week is hereby set apart for the consideration in each house of bills coming from the other.

By Senator Beall:

Provided, that platform demands of the Democratic party and measures looking to the raising of revenue shall have precedence over other measures at all times in each house.

Lost by the following vote:

Yeas—9.

Beall.	Ross.
Bowser.	Stone.
Colquitt.	Wayland.
Kerr.	Yett.
Neal.	

Nays—13.

Atlee.	Linn of Wharton.
Burns.	Morriss.
Darwin.	Presler.
Goss.	Stafford.
Greer.	Terrell.
Harrison.	Turney.
Linn of Victoria.	

Absent.

Bailey.	Lewis.
Boren.	Yantis.
Gough.	

Excused.

Dibrell.	Tillett.
Rogers.	Woods.

The resolution was then lost.

By Senator Lewis:

Senate bill No. 351, a bill to be entitled "An act to amend articles 641 and 642, chapter 2, title XXI, of the Revised Civil Statutes of Texas, relating to the creation of corporations."

Read first time and referred to Judiciary Committee No. 1.

By Senator Lewis:

Senate bill No. 352, a bill to be entitled "An act to amend articles 4351 and 4354 of chapter 1, title XCIV of the Revised Civil Statutes, and to add to said chapter an article to be known as article 4351a."

Read first time and referred to Judiciary Committee No. 1.

By Senator Lewis:

Senate bill No. 353, a bill to be entitled "An act to amend article 4584f of chapter 14, of title XCIV, of the Revised Civil Statutes, regulating the issuance of bonds by railroad companies."

Read first time and referred to Judiciary Committee No. 1.

Call concluded.

On motion of Senator Stafford, the regular order of business was suspended to take up on second reading,

House bill No. 653, a bill to be entitled "An act to prohibit the taking of fish from the waters of Carter's lake, Clinton lake and Caddo lake, and their tributaries in Harrison and Marion counties in this State, otherwise than by means of ordinary hook and line and trot line; and to prohibit the sale or shipping of game fish in said counties of Harrison and Marion, and to provide penalties for the violation thereof,"

Bill read second time.

By Senator Linn of Victoria:

Amend by adding in caption and body of the bill, after the words "Harrison and Marion counties," the words: "Green Lake and its tributaries in Calhoun and Victoria counties."

Adopted.

Bill passed to third reading.

On motion of Senator Stafford, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put upon its third reading and final passage by the following vote:

Yeas—21.

Atlee.	Linn of Wharton.
Beall.	Morriss.
Bowser.	Neal.
Burns.	Ross.
Darwin.	Stafford.
Goss.	Stone.
Gough.	Terrell.
Greer.	Turney.
Harrison.	Wayland.
Kerr.	Yett.
Linn of Victoria.	

Nays—none.

Absent.

Bailey.	Lewis.
Boren.	Presler.
Colquitt.	Yantis.

Excused.

Dibrell.	Tillett.
Rogers.	Woods.

Bill read third time, and passed by the following vote:

Yeas—21.

Atlee.	Linn of Wharton.
Beall.	Morriss.
Bowser.	Neal.
Burns.	Ross.
Darwin.	Stafford.
Goss.	Stone.
Gough.	Terrell.
Greer.	Turney.
Harrison.	Wayland.
Kerr.	Yett.
Linn of Victoria.	

Nays—none.

Absent.

Bailey.	Lewis.
Boren.	Presler.
Colquitt.	Yantis.

Excused.

Dibrell.	Tillett.
Rogers.	Woods.

On motion of Senator Stafford, the regular order of business was suspended, to take up on its second reading,

House bill No. 654, a bill to be entitled "An act to create a more efficient road system for Gregg county, and to provide for the appointment of road overseers, and to define the powers and jurisdiction of the commissioners court with regard thereto, and to utilize the labor of county convicts and defaulting poll tax payers on the public roads of said county, and providing for the appointment of an overseer to work such convicts and defaulting poll tax payers,"

Bill read second time.

By Senator Stafford:

Amend the caption and body of the bill by adding after the word "Gregg" the words "Harrison and Upshur."

Adopted.

Bill passed to third reading.

(Senator Gough in the chair.)

On motion of Senator Stafford, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put upon its third reading and final passage by the following vote:

Yeas—21.

Atlee.	Linn of Wharton.
Beall.	Morriss.
Bowser.	Neal.
Burns.	Presler.
Colquitt.	Stafford.
Goss.	Stone.
Gough.	Terrell.
Greer.	Turney.
Harrison.	Wayland.
Kerr.	Yett.
Linn of Victoria.	

Nays—none.

Absent.

Bailey.	Lewis.
Boren.	Ross.
Darwin.	Yantis.

Excused.

Dibrell.	Tillett.
Rogers.	Woods.

Bill read third time, and passed by the following vote:

Yeas—21.

Atlee.	Morri.s.
Beall.	Neal.
Bowser.	Presler.
Darwin.	Ross.
Goss.	Stafford.
Gough.	Stone.
Greer.	Terrell.
Harrison.	Turney.
Kerr.	Wayland.
Linn of Victoria.	Yett.
Linn of Wharton.	

Nays—none.

Absent.

Bailey.	Colquitt.
Boren.	Lewis.
Burns.	Yantis.

Excused.

Dibrell.	Tillett.
Rogers.	Woods.

On motion of Senator Atlee, the regular order of business was suspended to take up, on second reading,

House bill No. 309, a bill to be entitled "An act to provide for the purchase of public lands in quantities of 20 acres or less, situated on islands, by actual settlers, who have settled on and placed valuable improvements thereon, in good faith, or to their vendees, prior to the first day of January, 1895, and prescribing the price, terms, manner and time of such purchase,"

Bill read second time.

By Senator Burns:

Amend by striking out the words "of two dollars per acre," line 28, section 1, and insert in lieu thereof the following: "fixed by the Land Office after classification."

Adopted.

By Senator Atlee:

Insert words "per acre," after the word "rate," in line 27, page 1.

Adopted.

By Senator Atlee:

Strike out "six months," in line 10, page 2, and insert "ninety days."

Adopted.

By Senator Terrell:

Amend by striking out "of two dollars," and insert "fixed by the classification of the land office;" line 23, on page 2.

Adopted.

Bill passed to third reading.

On motion of Senator Atlee, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put upon its third reading and final passage by the following vote:

Yeas—22.

Atlee.	Linn of Victoria.
Beall.	Linn of Wharton.
Bowser.	Morriss.
Burns.	Neal.
Darwin.	Ross.
Goss.	Stafford.
Gough.	Stone.
Greer.	Terrell.
Harrison.	Turney.
Kerr.	Wayland.
Lewis.	Yett.

Nays—none.

Absent.

Bailey.	Presler.
Boren.	Yantis.
Colquitt.	

Excused.

Dibrell.	Tillett.
Rogers.	Woods.

Bill read third time.

By Senator Lewis:

Amend by striking out "20 acres," in line 27 of section 1, and insert in lieu thereof "5 acres."

Adopted.

By Senator Burns:

Amend by adding to sec. 1 the following: "Provided, such land shall not be sold for less than its fair and reasonable market value, the same to be fixed and determined by the Commissioner of the General Land Office."

Adopted.

The bill was passed.

On motion of Senator Burns, the regular order of business was suspended to take up

House bill No. 557, a bill to be entitled "An act to amend article 22, title 4, of the Revised Civil Statutes, so as to extend the time of the district court of Walker and Fort Bend counties,"

Action being on passage to a third reading.

By Senator Linn of Wharton:

Amend engrossed rider from the House, as follows: "In the county of Brazoria, on the nineteenth Monday after the second Monday in February and the twentieth Monday after the second Monday in August of each year, and may continue in session six weeks."

Adopted.

Bill passed to third reading.

HOUSE MESSAGE.

The following House message was received:

House of Representatives,
Austin, Texas, April 8, 1897.

Hon. George T. Jester, President of the Senate:

I am directed by the House to in-

form the Senate of the passage of the following bill:

House bill No. 528, a bill to be entitled "An act to amend articles 579, 580, 586 and 615, title XVIII, of the Revised Civil Statutes of Texas."

Respectfully,

LEE J. ROUNTREE, Chief Clerk.

The above bill was read first time, and referred to the Committee on Towns and City Corporations.

On motion of Senator Darwin, the Senate adjourned to 3. p. m.

AFTERNOON SESSION.

The Senate met pursuant to adjournment.

Lieutenant-Governor Jester in the chair.

Roll called.

No quorum, the following Senators answering to their names:

Atlee.	Lewis.
Beall.	Linn of Victoria.
Bowser.	Linn of Wharton.
Burns.	Morriss.
Colquitt.	Neal.
Goss.	Stone.
Gough.	Terrell.
Greer.	Turney.
Harrison.	Wayland.
Kerr.	Yett.

Absent.

Bailey.	Ross.
Boren.	Stafford.
Darwin.	Yantis.
Presler.	

Excused.

Dibrell.	Tillett.
Rogers.	Woods.

Senator Gough moved a call of the Senate for the purpose of securing and maintaining a quorum, which was ordered, the following Senators answering to their names:

Atlee.	Lewis.
Beall.	Linn of Victoria.
Bowser.	Linn of Wharton.
Burns.	Morriss.
Colquitt.	Neal.
Goss.	Stone.
Gough.	Terrell.
Greer.	Turney.
Harrison.	Wayland.
Kerr.	Yett.

Absent.

Bailey.	Ross.
Boren.	Stafford.
Darwin.	Yantis.
Presler.	

Excused.

Dibrell.	Tillett.
Rogers.	Woods.

No quorum.

On motion of Senator Colquitt, the Senate took a recess till 3:30 p. m.

AFTER RECESS.

Roll called. Quorum present, the following Senators answering to their names:

Atlee.	Lewis.
Bailey.	Linn of Victoria.
Beall.	Linn of Wharton.
Bowser.	Morriss.
Burns.	Neal.
Colquitt.	Stafford.
Dibrell.	Stone.
Goss.	Terrell.
Gough.	Turney.
Greer.	Wayland.
Harrison.	Yett.
Kerr.	

Absent.

Boren.	Ross.
Darwin.	Yantis.
Presler.	

Excused.

Rogers.	Woods.
Tillett.	

On motion of Senator Stafford, the regular order of business was suspended to take up on second reading.

House bill No. 517, a bill to be entitled "An act to make it a felony for any president, director or manager, cashier or other officer of any bank, banking institution or the owner or owners, or agents or managers, of any private bank or banking institution, or the president, vice-president, secretary, treasurer, director or agent of any trust company or institution doing business in the State of Texas to receive or assent to the reception of any deposit of money or other valuable thing in such bank, banking institution or trust company or institution, or for any such officer, owner or agent of such bank, banking institution or president, vice president, secretary, treasurer or director or agent of such trust company or institution to create or assent to the creation of any debt, debts or indebtedness in consideration or by reason of which indebtedness any money or valuable property shall be received into such bank or banking institution or trust company or institution after he shall have knowledge of the fact that such bank, banking institution or trust company or institution or the owner or owners of any such private bank or in-

stitution is insolvent or in failing circumstances, and to provide an appropriate penalty therefor."

Bill read second time.

By Senator Greer:

Amend page 2, line 17, by striking out of section 1, after the word "years."

By Senator Wayland:

Substitute the amendment, as follows:

Section 1, page 2, line 19, insert after the word "institution" the following, "within thirty days after any deposit."

Lost by the following vote:

Yeas—11.

Burns.	Ross.
Colquitt.	Stone.
Goss.	Terrell.
Greer.	Wayland.
Linn of Wharton.	Yett.
Presler.	

Nays—12.

Atlee.	Kerr.
Bailey.	Lewis.
Bowser.	Linn of Victoria.
Dibrell.	Morriss.
Gough.	Neal.
Harrison.	Stafford.

Absent.

Beall.	Turney.
Boren.	Yantis.
Darwin.	

Excused.

Rogers.	Woods.
Tillett.	

The amendment (Greer's) was then lost by the following vote:

Yeas—7.

Burns.	Stone.
Goss.	Wayland.
Greer.	Yett.
Presler.	

Nays—16.

Atlee.	Lewis.
Bailey.	Linn of Victoria.
Beall.	Linn of Wharton.
Bowser.	Morriss.
Dibrell.	Neal.
Gough.	Ross.
Harrison.	Stafford.
Kerr.	Terrell.

Absent.

Boren.	Turney.
Colquitt.	Yantis.
Darwin.	

Excused.

Rogers.	Woods.
Tillett.	

By Senator Ross:

Amend by striking out the word "felony" in line 15, page 1, and insert the word "misdemeanor."

Lost.

By Senator Linn of Wharton:

Amend by inserting after the word "deposit," in line 21: "Provided further, that such deposit was made within sixty days of the date of such failure."

Lost by the following vote:

Yeas—8.

Burns.	Presler.
Goss.	Stone.
Greer.	Wayland.
Linn of Wharton.	Yett.

Nays—15.

Atlee.	Lewis.
Bailey.	Linn of Victoria.
Bowser.	Morriss.
Colquitt.	Neal.
Dibrell.	Ross.
Gough.	Stafford.
Harrison.	Terrell.
Kerr.	

Absent.

Beall.	Turney.
Boren.	Yantis.
Darwin.	

Excused.

Rogers.	Woods.
Tillett.	

By Senator Burns:

Amend by adding to section 1 the following: "Banks, banking institutions and trust companies named in this section shall be deemed 'insolvent' and held to be in failing circumstances when the cash on hand and reserve funds of said bank, banking institution or trust company shall not equal in amount 25 per cent of its liabilities."

Lost by the following vote:

Yeas—3.

Burns.	Presler.
Goss.	

Nays—19.

Atlee.	Linn of Wharton.
Bailey.	Morriss.
Bowser.	Neal.
Dibrell.	Ross.
Gough.	Stafford.
Greer.	Stone.
Harrison.	Terrell.
Kerr.	Wayland.
Lewis.	Yett.
Linn of Victoria.	

Absent.

Beall.	Darwin.
Boren.	Turney.
Colquitt.	Yantis.

Excused.

Rogers. Woods.
Tillett.

The bill was then passed to third reading by the following vote:

Yeas—15.

Atlee.	Linn of Victoria.
Bailey.	Morriss.
Bowser.	Neal.
Colquitt.	Ross.
Dibrell.	Stafford.
Harrison.	Terrell.
Kerr.	Wayland.
Lewis.	

Nays—7.

Burns.	Presler.
Goss.	Stone.
Greer.	Yett.
Linn of Wharton.	

Absent.

Beall.	Gough.
Boren.	Turney.
Darwin.	Yantis.

Excused.

Rogers. Woods.
Tillett.

The Chair laid before the Senate, on second reading,

House bill No. 459, a bill to be entitled "An act to require bond investment companies doing business in the State of Texas to deposit certain sums of money or securities with the Treasurer of the State of Texas, and providing penalties for failure to comply with the terms of this law."

Bill read second time.

By Senator Lewis:

Amend section 3 by inserting in line 17, after the word "imprisonment," the following: "Provided, that such company or companies that have sold bonds, certificates or debentures prior to the taking effect of this act may and can carry out their contracts in force at said date without complying with the provisions of this act."

Adopted.

Bill, as amended, passed to third reading.

The Chair laid before the Senate, on third reading,

House bill No. 105, a bill to be entitled "An act to require the owner, owners or lessees of coal mines within this State to provide for the safety and health of their employes, and requiring them to construct sufficient means of ingress and egress, and providing a penalty for a failure to do so."

Pending action,

On motion of Senator Goss, the bill was postponed to Wednesday, April 13.

Senator Dibrell entered a motion to reconsider the vote by which the bill (House bill No. 105) was passed to third reading on yesterday.

The Chair laid before the Senate, on third reading,

House bill No. 337, a bill to be entitled "An act to amend article 207, chapter 1, title 8, of the Penal Code, changing the penalty in perjury cases, except as provided for in article 208 of the Penal Code, from not more than ten years nor less than five years in the penitentiary, to not more than ten years nor less than two years in the penitentiary."

Bill read third time, and passed.

The Chair laid before the Senate, on second reading,

House bill No. 157, a bill to be entitled "An act to amend article 2977 of chapter 4, title 55, of the Revised Statutes of the State of Texas relating to divorce, so as to permit the wife to obtain a divorce where the husband shall have left her for one year with intention of abandonment, or for non-support, and to permit either party to obtain a divorce on account of the continued drunkenness of the other, and to repeal all laws and parts of laws in conflict herewith."

The bill was read second time, and was passed to a third reading.

On motion of Senator Atlee, the regular order of business was suspended to take up, upon its third reading,

Senate bill No. 338, a bill to be entitled "An act to authorize the county commissioners courts of the various counties in this State to retire and fund their outstanding floating indebtedness and to provide for the payment of the same."

Bill read third time, and passed by the following vote:

Yeas—19.

Atlee.	Morriss.
Bowser.	Neal.
Burns.	Presler.
Goss.	Ross.
Gough.	Stafford.
Harrison.	Stone.
Kerr.	Terrell.
Lewis.	Wayland.
Linn of Victoria.	Yett.
Linn of Wharton.	

Nays—3.

Bailey.	Greer.
Dibrell.	

Absent.

Beall.	Darwin.
Boren.	Turney.
Colquitt.	Yantis.

Excused.

Rogers. Woods.
Tillett.

(Senator Kerr in the chair.)

On motion of Senator Linn of Wharton, the regular order of business was suspended to take up on second reading,

Substitute Senate bill No. 320, a bill to be entitled "An act to amend title XXIII, chapter 4, of the Revised Civil Statutes of the State of Texas, relating to county lines, by adding thereto article 808a."

Bill read second time, and ordered engrossed.

On motion of Senator Linn of Wharton, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put upon its third reading and final passage by the following vote:

Yeas—20.

Bailey.	Linn of Victoria.
Bowser.	Linn of Wharton.
Burns.	Morriss.
Colquitt.	Neal.
Dibrell.	Presler.
Goss.	Ross.
Gough.	Stafford.
Greer.	Terrell.
Harrison.	Wayland.
Kerr.	Yett.
Lewis.	

Nays—1.

Atlee.

Absent.

Beall.	Stone.
Boren.	Turney.
Darwin.	Yantis.

Excused.

Rogers. Woods.
Tillett.

Bill read third time, and passed by the following vote:

Yeas—21.

Atlee.	Linn of Victoria.
Bailey.	Linn of Wharton.
Bowser.	Morriss.
Burns.	Neal.
Colquitt.	Presler.
Dibrell.	Ross.
Goss.	Stafford.
Gough.	Stone.
Greer.	Terrell.
Harrison.	Wayland.
Kerr.	Yett.
Lewis.	

Nays—none.

Absent.

Beall.	Turney.
Boren.	Yantis.
Darwin.	

Excused.

Rogers. Woods.
Tillett.

On motion of Senator Lewis, the regular order of business was suspended to take up, on its second reading,

Senate bill No. 154, a bill to be entitled "An act to require cities to provide for a board of plumbers, to be known as the examining and supervising board of plumbers, to regulate the duties of said board, and to provide penalties for violation hereof."

Bill read second time.

By Senator Lewis:

Amend by striking out section 8 and insert in lieu thereof the following:

"Sec. 8. The near approach of the close of the present session of the Legislature, and the large number of bills now upon the calendars of each house, create an emergency and an imperative necessity exists that the constitutional rule requiring bills to be read on three several days be suspended, and it is so enacted."

Adopted.

The bill was ordered engrossed.

On motion of Senator Lewis, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put upon its third reading and final passage by the following vote:

Yeas—21.

Atlee.	Linn of Wharton.
Bailey.	Morriss.
Bowser.	Neal.
Burns.	Presler.
Colquitt.	Ross.
Goss.	Stafford.
Gough.	Stone.
Greer.	Terrell.
Harrison.	Wayland.
Kerr.	Yett.
Lewis.	

Nays—none.

Absent.

Beall.	Linn of Victoria.
Boren.	Turney.
Darwin.	Yantis.
Dibrell.	

Excused.

Rogers. Woods.
Tillett.

Bill read third time, and passed.

On motion of Senator Goss, the regular order of business was suspended, to take up, on second reading,

Senate joint resolution No. 13, to amend section 24, of article 3, of the Constitution of the State of Texas.

Resolution read second time, with committee amendments.

Committee amendments adopted.

(Lieutenant Governor Jester in the chair.)

By Senator Terrell:

Amend by striking out all of section 24 after the word "per annum," line 12, page 1.

Adopted.

Resolution ordered engrossed.

By consent, the following bills were introduced:

By Senator Colquitt:

Senate bill No. 354, a bill to be entitled "An act to validate the incorporation, and to declare valid the acts, of towns and villages heretofore regularly incorporated for free school purposes having within their limits towns incorporated for municipal purposes, which latter had ceased to exercise their functions as such."

Read first time and referred to Committee on Education.

By Senator Beall:

Senate bill No. 355, a bill to be entitled "An act to provide for the adoption of school text-books by districts, school communities, independent school districts, and incorporated towns and cities, for use in the public free schools thereof in this State, to regulate contracts with publishers for such school text-books, to provide for the enforcement of such contracts, to provide for the distribution of such text-books, to forbid any member of a board of trustees accepting any agency, salary, commission or sum of money by gift or otherwise from any person, firm, association or corporation dealing in text-books, and to provide a penalty for the violation of any of the provisions of this act."

Read first time and referred to Committee on Education.

By Senator Stafford:

Senate bill No. 356, a bill to be entitled "An act to amend article 244, chapter 2, title IV, of the Code of Criminal Procedure of the State of Texas."

Read first time and referred to Judiciary Committee No. 2.

Senator Colquitt sent up the following free conference committee report, and moved its adoption, to-wit:

Committee Room.

Austin, Texas, April 8, 1897.

To the Hon. Geo. T. Jester, President of the Senate, and Hon. L. T. Dashiell, Speaker of the House of Representatives:

We, the undersigned, your free conference committee on

Senate bill No. 240, being a bill entitled "An act to amend an act to provide for the collection of taxes heretofore and that may hereafter be levied, making such taxes a lien on the lands taxed, establishing and continuing such lien; providing for the sale and conveyance of lands delinquent for taxes since January 1, 1885, which may have been returned delinquent, or reported sold to the State, or to any county, city or town for the taxes due thereon and not redeemed, or which may hereafter be returned delinquent or reported sold to the State or to any county, city or town to satisfy the lien thereon, as enacted by the regular session of the Twenty-fourth Legislature, being chapter 5a, of title CIV, of the Revised Civil Statutes of 1895, relating to delinquent taxes, and to repeal all laws in conflict with this act,"

Have had the same under consideration with House amendments, and beg to report back as follows:

Strike out section 3 of the bill and House amendments to said section, and insert in lieu thereof the following for said section:

"Section 3. It shall be the duty of the commissioners court of each county in this State immediately upon the taking effect of this act to cause to be prepared by the tax collector at the expense of the county, the compensation for making out the delinquent tax record to be fixed by the commissioners court, a list of all lands, lots or parts of lots sold to the State for taxes since the 1st day of January, 1885, and which have not been redeemed, in their respective counties, and unorganized counties attached thereto, and to have such lists recorded in books to be called the "Delinquent Tax Record," showing when the lands or lots were reported delinquent or sold to the State for taxes, also the name of the owner at the time of such sale or delinquency, if known, the number of acres, the amount of taxes due when first sold, and the amount of all taxes assessed against the owner thereof and returned delinquent for each year, as shown by the records of the tax collector's office; and in making up the list or lists contemplated by this act, corrections and omissions in the description of any real estate embraced in such list or lists shall be made, so that when the corrections are made and the omissions supplied, the description will be such as is given in the abstracts of all the titled and patented lands in the State of

Texas, or as required in section 12 of this act, such as may be furnished by the Commissioner of the General Land Office, and it shall be required in bulk assessments to apportion to each tract or lot of land separately its pro rata share of the entire tax, penalty and cost. The list for each county, when certified to by the county judge, and assessment rolls and books on file in the tax collector's office, shall be prima facie evidence that all the requirements of the law have been complied with by the officers charged with any duty thereunder as to the regularity of listing, assessing, levying of all the taxes therein mentioned and reporting as delinquent or sold to the State, any real estate whatsoever, and that the amount alleged against said real estate is a true and correct charge; and in cases in which the description of the property in said list or assessment rolls or books is not sufficient to properly identify the same, and of which property there is a sufficient description in the inventories in the assessor's office, then said inventories shall be admissible as evidence of the description of said property. This "Delinquent Tax Record" for each county shall be delivered to and preserved by the county clerk in his office, and the commissioners court shall cause a duplicate of same to be sent to the Comptroller. Provided, that where the records are incomplete in any county it shall be the duty of the Comptroller to furnish such county with a certified copy of the delinquent list for any year or years."

Second—We recommend that the word "shall" be stricken out of the seventh House amendment, and the word "to" be inserted in lieu of it, and with this amendment that the House amendment to section 4, herein mentioned, be adopted.

Third—That the eighth amendment by the House, being an amendment to section 4, be receded from by the House.

Fourth—We recommend that the words "in like manner as is prescribed to be done by the Comptroller in section 3 of this act" be struck out, said words occurring in lines 7 and 8 of section 4. Also that the word "bound" in line 6 of section 4 be struck out, and the word "recorded" substituted therefor.

Fifth—Amend section 5 by striking out lines 12, 13, 14 and 15, on page 4, and in lieu thereof insert the following:

"Section 5. Upon the completion of said delinquent tax record by any county in this State, it shall be the duty of the commissioners court to cause."

Sixth—We recommend that the 9th and 10th House amendments, being amendments to section 5, be concurred in and adopted.

Seventh—We recommend that the 11th House amendment, being an amendment to section 6, be concurred in and adopted.

Eighth — We recommend that the 12th, 13th and 14th House amendments, being amendments to section 9, be concurred in and adopted.

Ninth—We recommend that the 15th House amendment, being an amendment to section 9, be amended to read: "Strike out in line 19, page 7, the words 'five dollars,' and insert in lieu of the House amendment the words 'three dollars,'" and as amended we recommend the same be adopted.

10th. We recommend the words "as provided in section 4" after the word "assessment" in the 16th House amendment to be stricken out of said amendment, and the following words be added to said amendment, to-wit: "to be taxed as cost against the land in each suit," and as amended we recommend that said House amendment be concurred in and adopted.

11th. We recommend that the words "three dollars" be struck out in the 17th House amendment, same being an amendment to section 9, and that the words "two dollars" be inserted in lieu thereof, and as amended said 17th House amendment be adopted.

12th. That the words "one dollar" in the 18th House amendment, being an amendment to section 9, be struck out, and insert in lieu thereof the words "one dollar and fifty cents," and that as amended said 18th amendment be concurred in and adopted.

13th. We recommend that the House recede from its 19th, 20th, 21st amendments, the said amendments being to sections 9 and 10.

14th. That the 22nd House amendment be concurred in and adopted, said amendment being to section 10.

15th. We recommend that the 23rd House amendment being an amendment to section 10, be concurred in and adopted.

16th. We recommend that the House recede from its 24th and 25th amendments, said amendments being to section 10, and that they be not adopted.

17th. We recommend that section 12 of the bill be amended by striking out the words "the Comptroller or" in line 6, page 10, of the printed bill in the House.

18th. We recommend that the 26th House amendment and the amendments adopted thereto be made section 17, and that the two subsequent sections be numbered sections 18 and 19 respectively. With this change, we recommend that House amendment No. 26 be adopted.

19th. We recommend that the 27th House amendment, numbered section 16b, be receded from by the House, and that it be not adopted.

20th. We recommend that the 28th House amendment, being an amendment to section 9, be concurred in and adopted.

21st. We recommend that the comma and the word "and," which occur after the word "correctly" in the 29th House amendment, be struck out, and that as amended the said 29th amendment be concurred in and adopted.

Respectfully submitted,

COLQUITT,
KERR,
NEAL,
MORRISS,
WAYLAND.

Free Conference Committee on part of the Senate.

DREW,
ROBBINS,
AYERS,
CHILDS,
MEADE,

Free Conference Committee on part of the House.

Adopted by the following vote:

Yeas—23.

Atlee.	Kerr.
Bailey.	Lewis.
Beall.	Linn of Victoria.
Bowser.	Linn of Wharton.
Burns.	Morriss.
Colquitt.	Neal.
Darwin.	Presler.
Dibrell.	Stafford.
Goss.	Terrell.
Gough.	Wayland.
Greer.	Yett.
Harrison.	

Nays—none.

Absent.

Boren.	Turney.
Ross.	Yantis.
Stone.	

Excused.

Rogers.	Woods.
Tillett.	

HOUSE MESSAGE.

The following House message was received:

Hall House of Representatives,
Austin, Texas, April 8, 1897.

Hon. Geo. T. Jester, President of the Senate:

I am directed by the House to inform the Senate

That the House refuses to concur in Senate amendment to House bill No. 309, and asks for a free conference committee and appoints the following on the part of the House: Turner, Bell, Vaughan of Collin, Bailey, McFarland.

Also that the House grants the request of the Senate for a free conference committee on Senate bill No. 13, and Messrs. Robbins, Ayers, Crowley, Thompson and Morton have been appointed on the part of the House.

Also, that the Houses refuses to concur in Senate amendments to House bill No. 413, and asks for a free conference committee, and Messrs. Staples, McGaughey, Blair, Morris and Drew have been appointed on the part of the House.

Also, that the Houses refuses to concur in Senate amendments to House bill No. 180, and asks for a free conference committee, and Messrs. Melton, Welch, Lillard, Crowley and Mercer have been appointed on the part of the House.

Respectfully,

LEE J. ROUNTREE, Chief Clerk.

Senator Lewis moved to grant the request of the House for a free conference committee to consider the differences of the two houses on

House bill No. 413, a bill to be entitled "An act to amend article 3384, title LXIX, of the Revised Civil Statutes of the State of Texas, relating to local option."

Carried, and Chair appointed as the committee on the part of the Senate, Senators Greer, Burns, Kerr, Linn of Wharton and Colquitt.

Senator Greer moved to grant the request of the House for a free conference committee to consider the differences of the two houses on

House bill No. 180, a bill to be entitled "An act to amend article 5043 of the Revised Statutes of 1895, so as to exempt Maverick county from the provisions of title CII, chapter 6, relating to the inspection of hides and animals."

Carried, and the Chair appointed as committee on part of the Senate, Sen-

ators Turney, Goss, Harrison, Terrell and Presler.

Senator Lewis moved to grant the request of the House for a free conference committee to consider the differences of the two houses on

House bill No. 309, a bill to be entitled "An act to provide for the purchase of public lands in quantities of twenty acres or less, situated on islands, by actual settlers, who have settled on and placed valuable improvements thereon in good faith, or to their vendees, prior to the 1st day of January, 1895, and prescribing the price, terms, manner and time of such purchase."

Carried, and the Chair appointed as committee on part of the Senate, Senators Atlee, Lewis, Linn of Victoria, Darwin and Ross.

On motion of Senator Greer, the regular order of business was suspended, to take up on its second reading,

Substitute Senate bill No. 328, a bill to be entitled "An act to amend article 812, of the Revised Civil Statutes of the State of Texas, relating to the removal of county seats."

Bill read second time.

Senator Colquitt raised the point of order that the bill could not be considered for the reason that a similar bill had heretofore been defeated.

Senator Beall raised the point of order that the point of order made by Senator Colquitt was not a proper one to submit to the Chair, for the reason that it related to the constitutionality of the bill.

Pending discussion,

Senator Ross entered a motion to reconsider the vote by which House bill No. 337 (see caption above) was passed.

COMMITTEE REPORTS.

The following committee reports were made:

Committee Room,

Austin, Texas, April 8, 1897.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 281, a bill to be entitled "An act to authorize towns and villages incorporated under the provisions of chapter 11, title 18, of the Revised Civil Statutes, to condemn the right of way over and across the roadbed and right of way of any railway within the limits of such town or village, when deemed necessary by such town or village for the purpose

of opening, widening or extending the public streets of such towns or villages, to define the duties of railroad companies when their roadbeds and rights of way are condemned for street purposes by such towns and villages, and to prescribe a penalty for violations thereof."

And find the same correctly engrossed.

GOUGH, Chairman.

Committee Room,

Austin, Texas, April 8, 1897.

Hon. George T. Jester, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 142, a bill to be entitled "An act to amend articles 373, 374, 375 and 376, of the Penal Code, Revised Statutes of the State of Texas, relating to lotteries and raffles."

And find the same correctly engrossed.

GOUGH, Chairman.

Committee Room,

Austin, Texas, April 8, 1897.

Hon. George T. Jester, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 176, a bill to be entitled "An act to prescribe the powers, duties and compensation of the State Board of Examiners, and to regulate the issuance of State certificates."

And find the same correctly engrossed.

GOUGH, Chairman.

Committee Room,

Austin, Texas, April 8, 1897.

Hon. George T. Jester, President of the Senate:

Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 351, entitled "An act to amend articles 641 and 642, chapter 2, title XXI, of the Revised Statutes of Texas, relating to the creation of corporations."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

LEWIS, Chairman.

Senator Colquitt moved that the Senate adjourn to 10 a. m. to-morrow.

Senator Wayland moved that the Senate adjourn to 10 a. m. Monday.

Lost.

The Senate adjourned to 10 a. m. to-morrow.